



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/522,746

01/26/2006

Bo Stenvall

10400-000139/US

9316

30593

7590

04/09/2008

HARNESS, DICKEY & PIERCE, P.L.C.

P.O. BOX 8910

RESTON, VA 20195

EXAMINER

OSANU, FELIX C

ART UNIT

PAPER NUMBER

3635

MAIL DATE

DELIVERY MODE

04/09/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/522,746	<b>Applicant(s)</b> STENVALL, BO	
	<b>Examiner</b> FELIX OSANU	<b>Art Unit</b> 3635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. ____.                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>28 January 2005</u> .   | 6) <input type="checkbox"/> Other: ____.                          |

## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities: same reference number (5) for different parts. See page 7 lines 24-24 of disclosure.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-5 & 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Jansson (U.S. 5493831).

Jansson teaches a fastener device for mounting insulating glass sheets joined together by a jointing substance (7), said device having a first position, wherein said device, upon mounting of said insulating-glass sheet, allows the insulating-glass sheet to be placed in the desired position, and a second position, wherein the devices grips at least one glass slab of said insulating-glass sheet, said device comprising a retainer member (8) and anchoring member (12) arranged to penetrate the jointing substance in response to the anchoring member being tilted to the said second position. See figures 1 & 4 and column 3 lines 15-23, 54-62 & column 4 lines 11-13, 26-36.

Regarding claim 2, Jansson discloses anchor member (12) comprising a second part arranged to travel in a groove (26) in the retainer member (8). See figures 1-3 & column 3 line 64-67 & column 4 lines 1-10.

For claims 3 & 4, Jansson discloses the claimed inventions as shown in fig. 1.

Regarding claim 5, Jansson an anchor member (12) penetrating the jointing substance (7) upon displacement (see figure 1 & column 3 lines 21-23, 54-63).

Regarding claim 9, Jansson discloses retainer member (8) provided with resilient molding strip (11) arranged to abut against the insulating glass sheet (3). See figure 1 & column 3 lines 1-5.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jansson (U.S. 5493831) in view of Galbraith (U.S. 4766709).

Jansson teaches a device with elements as described in claims 1 & 5 rejections above but does not teach serrated anchor member. Galbraith discloses a device for mounting insulating glass comprising anchor member (221) having a serrated section (221A). See figure 7 & column 8 lines 4-9. It would have been obvious to one having ordinary skill in

the art at the time of the invention was made to use an anchor member with serrated sections to better secure the anchor member in the jointing substance.

6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jansson (U.S. 5493831) in view of Thuleskar et al (U.S. 5802799).

For claim 7, Jansson teaches a device for mounting insulating glass with elements as described in claim 2 rejection above and a groove (26) which may be an undercut (figure 1) and anchor member (12) that is displaced into abutment with the retainer member (8). Thuleskar et al disclose a device comprising a retainer member (15) with an under cut groove and anchor member (18) arranged for tilting movement about an axis adjacent an opening of groove (17). See figure 2 & column 5 lines 57-64. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to allow movement as taught both Jansson and Thuleskar et al in order to firmly secure the mounting structure to the anchor to the retainer member.

7. Claims 8 & 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jansson (U.S. 5493831).

For claim 8, Jansson discloses anchor member formed with a protruding and spring-biased device, said device upon movement of said anchoring member from said first position to said second position, fitting in said second position into recesses of complementary configuration formed on the retainer member (figures 1-3 & claim 10 & column 4 lines 4-10). It would have been obvious to one having ordinary skill in the art

Art Unit: 3635

at the time of the invention was made to use an anchor member formed with protruding and spring based device in order to allow movement of the anchor member and facilitate securing with the retainer member.

For claim 10, Jansson teaches device comprising a resilient anchor member (12) for mounting insulating glass (figure 1-3 & column 3 lines 15-20). It would have been obvious to one having ordinary skill in the art at the time of the invention was made to use an anchor member element in which whole portion is made of resilient material instead of a portion of a resilient material fitted to the anchor member as claimed by the applicant in order to allow greater flexibility during tilting or displacement.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Holmes (U.S. 4912898), Pendery (U.S. 1756302), Allan (U.S. 5199236), Francis (U.S. 4552790), and Kalus (U.S. 3712013).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Felix Osanu whose telephone number is 571-270-3659. The examiner can normally be reached on M-TH & ALT. F (8AM - 5PM) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard E. Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3635

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Felix Osanu  
Examiner  
Art Unit 3635

/Richard E. Chilcot/  
Supervisory Patent Examiner, Art  
Unit 3635

FO